



Edward D. Cotter
ecotter@burr.com
Direct Dial: (205) 458-5130
Direct Fax: (205) 244-5725

420 North 20th Street
Suite 3400
Birmingham, AL 35203

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Office (205) 251-3000
Fax (205) 458-5100

VIA ECF

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Hon. Allyne R. Ross
U.S. District Court, EDNY
225 Camden Plaza East
Brooklyn, NY 11201

Re: Alkhatib v. New York Motor Group, et al.
Civil Action No.: 1:13-cv-02337-ARR-SMG
Response to Letter Requesting a Pre-Motion Conference Regarding Leave to Amend the Complaint

Your Honor:

We represent Defendant Capital One Auto Finance, a division of Capital One, National Association (COAF) in the above-referenced matter.

Plaintiff Anwar Alkhatib filed a *Letter Requesting a Pre-Motion Conference Regarding Leave to Amend the Complaint* on January 3, 2014 (ECF No. 33). Plaintiff has advised COAF's undersigned counsel that he will stipulate he has only named COAF as a defendant in this matter pursuant to the FTC Holder Rule, and that he does not seek to hold COAF independently liable for any allegations in the proposed Amended Complaint at this time, but reserves the right to amend in the future.

Consequently, COAF does not oppose Plaintiff's Motion for Leave to Amend or the proposed Amended Complaint. Further, upon entry of the Amended Complaint with the Court, COAF and Plaintiff will file a Consent Order confirming the scope of Plaintiff's claims against COAF.

Should you have any questions, do not hesitate to contact me.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ed Cotter", written over a horizontal line.

Edward D. Cotter

cc: All counsel of record (via ECF)